NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY

February 26, 2016

Legislative Council Bureau 2135 Carson City, Nevada

And

Grant Sawyer 4400 Las Vegas, Nevada

MINUTES OF THE MEETING

BOARD MEMBERS PRESENT:

In Las Vegas:

Adam Johnson Elissa Wahl Marc Abelman Nora Luna Melissa Mackedon

In Carson City:

Kathleen Conaboy

Teleconference:

Robert McCord

BOARD MEMBERS ABSENT

None

AUTHORITY STAFF PRESENT:

In Las Vegas:

Patrick Gavin, Director, State Public Charter School Authority

In Carson City:

Kathy Robson, Education Program Professional, State Public Charter School Authority Joan Jurgensen, Education Program Professional, State Public Charter School Authority Jessica Hoban, Administrative Services Officer, State Public Charter School Authority Katie Higday, Management Analyst, State Public Charter School Authority

Danny Peltier, Administrative Assistant, State Public Charter School Authority

LEGAL STAFF PRESENT:

In Las Vegas:

Greg Ott, Deputy Attorney General

AUDIENCE IN ATTENDANCE:

In Las Vegas:

Attendance Sheet Attached

In Carson City:

Attendance Sheet Attached

CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE; APPROVAL OF AGENDA

Before Chair Johnson began the meeting, he said the Authority would not hear agenda items 6 or 13.

Member Wahl moved for a flexible agenda. Member Mackedon seconded. The motion carried unanimously.

Agenda Item 1 – Public Comment

Ercan Aydogdu spoke about Coral Academy of Science Las Vegas's new campuses at Nellis Airforce Base and Centennial Hills. He said the permits had been completed and both campuses were on schedule for their opening dates.

Eseroy Aydogu spoke about Coral Academy of Science and how it had impacted her life positively. She said she would not be where she was in life without having attended Coral Academy of Science Las Vegas. Brenden Rosales spoke in support of the campus expansion for Coral Academy. Okshun also spoke in support of Coral Academy's expansion request.

Orlando Dos Santos, Interim principal of Nevada Virtual Academy, spoke in opposition to the ACT Aspire test as an accountability measure by the SPCSA. He said there has been a lack of training and direction for schools which could negatively impact the school's test scores. He said there were no accommodations for Special Education students taking the ACTR Aspire test. He requested the Authority develop a different assessment for schools with high special populations so the scores of those with special needs would be more accurately scored.

Brian Lee, Executive Director of the Nevada State Education Association, offered his entity's assistance to the SPCSA with regard to Silver State Charter Schools possible charter revocation. He said the teachers who were members of the Association had been negatively impacted by the poor management of the school's administration and governing body. He said the association would be happy to work with the SPCSA during the 2017 legislative session to protect teachers when the charter school they are employed by fails to manage itself properly.

Dori Gallegos spoke in support of Nevada Connections Academy and in opposition Nevada Connections Academy's Notice of Closure that had been listed on the agenda.

Steve Edwards spoke about the work he had done for Quest Academy regarding the parking issues at the Roberson campus. He said he wasn't speaking in support or opposition of Quest, rather he was informing the Authority board of the work he had done.

Colquitt Lamont, parent and Site Administrator at Quest Academy, spoke in support of keeping the Roberson campus open.

Andrew Cowen, property manager for the Azure campus, spoke about Agenda Item 4. He said Quest had negatively impacted other businesses located near the campus. He said a dialysis clinic had been especially impacted due to the noise and traffic issues Quest Academy had caused. He said patients, staff and other people associated with the dialysis clinic had been adversely impacted and it has caused great disruption to the day-to-day operations. He said the school has not met the terms of the special use permit that had been granted by the city of Las Vegas and because of the inability to meet the terms of the special use permit, he, along with the businesses he represents, request the Quest Roberson campus be closed upon the end of the 2015-2016 school year.

Trudy and Joel Killman spoke in support of the Quest Roberson campus and asked the Authority board not to close it. Dennis and Tara McAdorey spoke in support of Quest Academy's Roberson campuses reaming open beyond the 2015-2016 school year. John Brown spoke in support of the Roberson campus remaining open. Madison Perkins, student at Quest, echoed the sentiments of other public comments in support of Quest Academy and asked that the Roberson campus remain open. Don Asperian, student at Quest Academy, spoke in support of the Quest campus remaining open beyond the 2015-2016 school year. Betsy Johnson spoke in support of Quest Academy's Roberson Campus to remain open and she added that she hoped better communication would take place between parents and individuals responsible for the decision regarding the status of the campus.

Andrew Ballogh, business owner in the owners association, said he invites all of the parents of Quest to come speak to him about the concerns that business owners have. He said the owners were consulted about the prospect of the school moving into their business park and it has been a major disruption to the surrounding businesses. He asked that the campus be closed at the end of the 2015-2016 school year.

Stacy Peppley, parent at Quest, spoke in support of the Quest campus remaining open beyond the 2015-2016 school year. Shawn Peppley, student at Quest, spoke in support of keeping the Roberson campus open. Jeana Monlux spoke in support of Quest Academy's Roberson campus continuing operations beyond the 2015-2016 school year. Carter Monlux and Jordan Monlux spoke in support of Quest Academy. Cassandra Mattice, parent at Quest, spoke in support of allowing the Roberson campus to remain open. Rebecca Turner, parent at Quest Academy, spoke in support of Quest Academy.

Kimberly King, parent of Nevada Connections Academy student, spoke in support of Nevada Connections Academy and said she hoped the Authority would allow Nevada Connections Academy to be able to continue to serve students across Nevada.

Tomas Gaiman, student at Quest, spoke in support of Quest Academy's Roberson campus. Lamont Fitzgerald spoke in support of Quest Academy. Teranda Young, parent at Quest Academy, spoke in support of Quest Academy. Victoria Felix, student at Quest, spoke in support of Quest Academy. Veronica Felix-Neuhaer, parent at Quest, spoke in support of Quest Academy. David Salmon, former parent at Quest Academy, business owner in the Roberson campus location and counsel of the landlord Dynamic Properties, spoke in support of Quest Academy and said that not all business owners in the

business park are in opposition to Quest Academy. He said that he had assisted the Quest Academy in trying to update the special use permit that had been granted by the city of Las Vegas. He said that no official complaints had been submitted in opposition of Quest Academy. Gabriella Zeideler, student at Quest Academy, spoke in support of Quest Academy's Roberson campus remaining open beyond the 2015-2016 school year. William McAdorey, student at Quest Academy, spoke in support of Quest Academy. Terri Barber, director of Human Resources, spoke in support of Quest Academy and said she would do anything within her power to help find another campus within the Quest family if the special use permit was denied by Las Vegas.

Chick Calloway, parent of Nevada Connections Academy, spoke in support of Nevada Connections Academy and said it would be devastating to his family if Nevada Connections Academy were to be closed. Larissa Gorton, student at Nevada Connections Academy, spoke in support of Nevada Connections Academy. Leighla Gorton, student at Nevada Connections Academy, also spoke in support of Nevada Connections Academy.

Agenda Item 2 – Approval of the January 4, 2016 SPCSA Board Meeting Minutes Member Mackedon moved for approval of the minutes with edits. Member Luna seconded. The motion carried unanimously.

Agenda Item 4 - Quest Receiver Update, including discussion and possible action to reduce enrollment and eliminate grade levels in conjunction with the revocation the school's authorization to occupy the Roberson campus and to the impending non-renewal of the campus's special use permit

Member Wahl began by speaking directly to the Quest Academy parents that were in attendance. She asked them to apply for the board of Quest so they may be able to help the school and prevent it from being put into these type situations in the future.

Josh Kern, Quest Receiver, spoke about his report that he had submitted to the Authority regarding the events at Quest Academy while he has served as their receiver. Mr. Kern said after an audit revealed significant operational issues at Quest; the SPCSA placed the charter school into receivership on October 26, 2015. The SPCSA appointed him to serve as the receiver. He said he took swift action after his appointment by assuming control of all financial accounts and stopping payments on all outstanding debts, pending a complete evaluation of the school's viability. He responded to several outstanding legal claims and sought coverage from Quest's insurance provider where appropriate. He made initial staffing cuts and reviewed accounting policies and procedures to develop a new financial management plan for the school. He also reviewed the forensic audit of Quest's operations for the 2013-2014 and the 2014-2015 school years and used its findings in addressing the outstanding issues.

Mr. Kern said his main objective was to preserve Quest's ability to educate students while addressing the significant, outstanding financial issues as quickly as possible. He said the mismanagement at the school had spanned several years and it may take a significant period of time to unravel and remedy these problems. Mr. Kern said at the close of the 2012-2013 fiscal year, Quest maintained a cash balance exceeding \$1,000,000, but by the end of the 2015-2016 year, Quest's expended, unpaid obligations will exceed \$2,400,000. Quest experienced this reversal after entering into contracts for equipment, curriculum and facilities that exceeded its budget and cost more than the going rate.

Mr. Kern said key members of Quest's governing body appeared to be responsible for this budget shortfall. They entered into a costly agreement with Chartered for Excellence Foundation, an independent foundation created by one of Quest Board members with other board members support. The agreement

tasked CFEF with providing services to Quest at financial terms that were highly favorable to the Foundation, not the school. Most costly was a campus sublease which obligated Quest to pay \$14,771 more per month than CFEF's actual cost. Quest also hired relatives of its Board President to positions for which they were not qualified and at salaries exceeding the going rate.

Mr. Kern also said Quest's managers irresponsibly entered into contracts and failed to oversee its financial systems. Without the Quest board approval, the Board President entered into several contracts that operated to the detriment of the school. These contracts included expensive and inappropriate loan agreements, technology contracts and salary increases for employees. Quest hired a former board member and her husband for full time positons and overpaid both individuals by more than \$70,000 during a seven month period. Quest also failed to pay the appropriate amount to the Public Employee Retirement Systems and currently owes \$360,000.

Mr. Kern said some of the actions he had taken were to evaluate the outstanding financial liabilities, pursue claims concerning former board member and employees, evaluate the campuses, reduce staff salaries, implement financial management and capacity plans and conduct a performance audit. Mr. Kern said they had stopped all payments Quest had entered into until they can understand if the agreement was properly executed. He said they also reviewed the financial viability of each of the campuses to ensure Quest would be able to meet its non-negotiable financial obligations. Mr. Kern said the most urgent situation at Quest Academy is the Roberson campus. He said the special use permit was of utmost importance to the viability of the Quest campus. He said the school was operating in accord with the special use permit, but if the permit is not renewed it would create a financial hardship for the school that would be difficult to overcome.

Member Mackedon asked if the campuses would be financially viable, even if the special use permit was renewed, at the rate which Quest was paying for rent. Mr. Kern said they would have to renegotiate all of the leases in order for the school to be financially viable.

Richard Holley, attorney for the Quest Receiver, said the financial situation was going to be difficult. He said, while the landlords were local, the majority of the creditors were not, and that would make the negotiations difficult. He said these entities typically do not allow "do-overs" and that needed to be taken into consideration regarding the financial viability of the school. He said the school would not be able to walk away from the obligations without some financial ramification which could negatively impact the future of the school.

Chair Johnson asked what the probability was for the special use permit to be renewed. Mr. Kern said there was no way to give a probability. He said based on the testimony given at the meeting, the Authority had the same information the school did. Mr., Kern said it was also worth noting that even if the school were to close it would not free them from the financial obligations. Member Conaboy asked if the lease for the Roberson campus was contingent on the special use permit being in place. Mr. Kern said, no that was not the case. Member Conaboy asked, even if the special permit was not renewed, would Quest still be obligated for the lease on the campus. Mr. Holley said yes, the school would be obligated but there would be an opportunity to sublease. Member McCord said he was very concerned with the fiscal liabilities that exceeded \$2 million and he was interested how the school would be able to remain solvent for future school years. Mr. Kern said the school was not going to be financially viable if the school was not able to renegotiate its obligations and there was no solution to the problem unless they were able to renegotiate its obligations. Member Mackedon said she felt the Authority was in line with the public comment from parents earlier in the meeting, but she feels the situation is very tenuous and she was disappointed in the decisions of the school prior to the school being taken over by the receiver. Member

Conaboy asked if all of the other Quest campuses were at capacity if the school were to move pupils from the Roberson campus to other campuses. Mr. Kern said all of the other campuses were at capacity and it would not be possible to add the students from the Roberson campus to other campuses.

Member Luna asked if the Authority were to revoke the Roberson campus, would that preclude the school from being able to look for available space in other arears of Las Vegas. Director Gavin said the revocation of the campus would be made effective at the end of the special permit's termination date, but the school would be able to pursue other opportunities if something were to come up. He said the issue was the notification time for parents so they could plan for other schools, and to give that notification to the parents with as much time possible to be able to make those decisions.

Member McCord asked about the outstanding PERS payment the school also owed and how that would affect its finances. Mr. Kern said Quest had every intention to repay its PERS payments and he would try to negotiate with PERS to limit the penalties the school would be required to pay. Discussion continued between the Authority, Mr. Kern and Director Gavin regarding various outcomes to Quest Academy in the event the special permit was, or was not, renewed.

Member Conaboy asked what steps were being taken to ensure the special use permit be renewed. Mr. Holley said there had been numerous conversations with the city and the process would be concluded in July, or as early as April, if the city was willing to expedite the process. He said the outcome of the Authority hearing would have great effect on the pursuit of the special use permit. Director Gavin added the school would have to make other significant changes even if the special use permit were to be renewed, but those would be discussions for later meetings. Director Gavin said the decision before the Authority at this meeting would only be the first in a line of decisions that would be placed before the Authority regarding Quest.

Member Wahl moved for revocation of the Quest Academy's authority to operate the Roberson Campus and direct Quest Academy staff to notify parents at Quest Academy of the decision of the Authority and to revoke the high school grades. Discussion continued.

Member Luna asked if the Authority was making the assumption of the special use permit vote, which would be unfair to Quest Academy. Member Mackedon said she believed the Authority owed it to the parents to let the special use permit process to play out before the Authority make a decision regarding the future of the high school grades at Quest. Discussion continued regarding how Quest Academy would notify parents upon nonrenewal of the special use permit and whether that needed to be included in the Authority's decision regarding the agendized item. Member Conaboy asked if the motion carried, would the receivers then not spend more time trying to pursue renewing the special use permit. Chair Johnson said the amendment to motion would be for the receiver to pursue renewing the special use permit. Mr. kern said if the motion was not amended it would have a significant chilling effect on the efforts to renew the special use permit. He said as a practical matter, if the high school authority would be revoked, there would be no reason to pursue the special use permit renewal because there would not be a school to operate in the campus that was trying to be renewed. Director Gavin asked what the estimate of high school aged students that had applied to the Roberson campus for the 2016-2017 school year. Mr. Kern said he did not have that estimate. Director Gavin said that it should be noted there were a fair amount of parents who had applied to attend the Roberson campus who would be left unclear as to the status of the campus and whether they should pursue other educational opportunities.

<u>Member Wahl moved for revocation of the Quest Academy's authority to operate the Roberson Campus</u> in the event of the special use permit not being renewed and direct Quest Academy staff to notify parents

at Quest Academy of the decision of the Authority and to revoke the high school grades. There was no second. Discussion continued.

Member Conaboy motioned to revoke Quest Academy's authority to occupy the Roberson Campus at the end of the school year and further, remove the authority for the school to offer high school grades at the end of the school year. Those two items are contingent upon the nonrenewal of the special use permit, and/or the inability to renegotiate the lease at reasonable terms within the business judgement of the receiver. Immediately after the Authority meeting, Quest staff is directed to notify parents of the pending Roberson special use permit decision and to notify applicants of the Quest Academy Roberson High School of the possibility the special use permit may not be renewed by putting a notice on the website. Member Mackedon seconded. The motion carried unanimously

1:25 meeting back to order.

Agenda Item 11

The SPCSA Board approved staff's recommendation of the expansion of the ACT Aspire assessment at the September 28, 2015 Board meeting. Pursuant to that approval, staff pursued and obtained IFC and BOE approval for purchasing additional grade levels. Staff also committed to working closely with school leaders to identify an appropriate solution that balanced the Authority's need to have accurate and reliable academic data to make high stakes decisions with schools' concerns related to over-testing. At a convening organized by Somerset Academy in January, school leaders and their representatives participated actively in discussions related to these areas of concern. Based on the feedback from stakeholders, four strong options emerged:

- Option 1: Test all grades 3-10
 - This option provides the most robust and consistent dataset
 - It allows for growth calculations across all grade levels
- Option 2: Test grades 3-4, 6-7, and 9-10
 - This option has the advantage of avoiding triple-testing in the heavily assessed 5th and 8th grades
 - It allows for growth calculations between some grade levels
- Option 3: Test grades 4-7 and 9-10
 - This option has the advantage of limiting assessments in the 3rd grade, addressing concerns about first time high stakes test takers being overwhelmed, while avoiding triple-testing in 8th grade
 - It allows for growth calculations across most grade levels
- Option 4: Each charter system may select from Options 1, 2, or 3 based on the unique needs of its students
 - This option balances school-by-school flexibility based on their unique needs while providing the Authority with significantly more data than it has currently.

Recommendation:

Based on a desire to balance fostering a sense of partnership with the schools and supporting their autonomy while also developing a more comprehensive and stable charter school accountability system, staff recommended the adoption of Option 4.

Member Wahl asked if the schools would be locked into a certain amount of time. Director Gavin stated the Authority could go with option 2 or 3 but option 1 would be fine and staff could support that. Member Conaboy asked staff are doing this and the state is not. Director Gavin stated the pause year was 2014-2015 and there was a need for data to make important high stakes decisions for schools. Director Gavin said there hasn't been testing data since 2013 and there would be no growth data until next year. Director Gavin added that as a general matter, Charter school accountability to the same standards of public school under NCLB waived requirement to waive the normal standard. Student enrollment was 11,000 in 2011, currently 25,000 and projected to grow to around 32,000 by 2020.

Chair Johnson asked how the Authority could assure that the data would be correct if every grade was not included. Member Mackedon asked if consecutive year data was available. Director Gavin said ACT Aspire was one of 3 tests that were released that have strong alignment to common core state standards and that ACT Aspire is used by several states for assessment. Member Wahl asked if the Department of Education would still be implementing SBAC. Director Gavin said the state requested a waiver from the federal government to put a pause in place.

Member Luna asked what kind of training is necessary to make this feasible. Director Gavin said the Authority had already implemented ACT Aspire; schools received training at this time. Member Mackedon said Oasis Academy did a pilot for the testing and it's simple to administer. Chairman Johnson asked if staff could provide additional training. Director Gavin stated staff did not have fiscal or staffing capacity to give additional training. Member Wahl said the manual was very clear and easy to read and believed schools could implement the test. Chair Johnson asked what the timeline would be for implementing the first test. Director Gavin said the schools needed to work on a testing calendar starting in August 2016.

Member Mackedon motioned to approve option 4. Give the schools the ability to decide the which option they would choose. Member Luna seconded the motion. Motion to elect to do option 4 with ability to change if schools need to passed unanimously.

Agenda Item 5 - Consideration and possible action to allow Authority staff to amend the charter contracts to extend the high stakes reviews of Beacon Academy of Nevada and Nevada Virtual Academy from March 25, 2016 to the April 29, 2016 Authority meeting contingent upon amendment request from the schools' governing bodies

Member Conaboy abstained from voting on the agenda item and Member Luna said she had a friendship with Africa Sanchez but it would not interfere with the agendized item today.

Director Gavin began by stating the Authority had imposed the High Stakes Review of Beacon Academy of Nevada as part of its resolution renewing the school. Subsequently, Beacon requested an amendment to its enrollment and agreed to the postponement of the High Stakes Review to the first quarter of calendar year 2016. At Beacon's request, staff agreed to schedule the High Stakes review for the March meeting to permit the school the maximum amount of time to assemble evidence for consideration by the Board.

In late January, Beacon Academy of Nevada inquired of staff regarding the postponement of its high stakes review from March 25, 2016 to April 29, 2016 to allow for greater participation of parents,

students, staff, and board members who are otherwise out of town due to Spring Break and Good Friday. As a postponement would have scheduled the High Stakes Review to a period outside of the first quarter of 2016, staff advised that this change was not possible.

Beacon Academy of Nevada subsequently contacted the Authority Board Chair and requested additional consideration of their request. Based on consultation with staff and counsel, it was determined that if a postponement was to be offered to Beacon, the same opportunity must be afforded to Nevada Virtual Academy.

Africa Sanchez, attorney representing Beacon Academy spoke on behalf of Beacon Academy. Ms. Sanchez said the charter contract did not state anything regarding a high stakes review thus Beacon would be objecting to implementation of the high stakes review by the Authority. She said Beacon had received information from the Authority stating they were in good standing which was required in the signed charter contract. Ms. Sanchez said Beacon Academy presented three amendments to their charter contract during the July 13, 2015 SPCSA board meeting and the Friday before the meeting, SPCSA staff requested the school reaffirm the high stakes review as a condition of approval of the amendments.

Ms. Sanchez said that on February 24th she received the proposed changes to the contract and then requested a meeting with Mr. Ott on March 9th, 2016 to discuss the amendments. Ms. Sanchez said because of the lack of good-faith negotiations between the Authority and Beacon Academy, the high stakes review should be removed from the agenda for the March 25th SPCSA Board meeting and that the school return to good standing. Ms. Sanchez said the school was not unwilling to give a report regarding the data and progress they had made since their renewal, but it would not be through a high stakes review.

Director Gavin said he would like to discuss the matter with Mr. Ott. Chair Johnson preferred to postpone the item until Mr. Ott could be present. Chair Johnson proposed the Authority should not act on the item during the meeting until the Authority and staff could speak with Mr. Ott. Member Wahl asked if Authority staff had added language regarding the high stakes review during Beacon Academy's last amendment request before the Authority. Director Gavin said he would not be able to comment on that before consulting Mr. Ott. Ms. Sanchez said the high stakes review was not in the contract therefore it could not be considered an amendment to something that was not included in the contract.

Member Luna said she felt that if the matter was not cleared up by March 23, the Authority should still move forward with the high stakes review. Ms. Sanchez said she did not think the matter would be resolved before the next Authority board meeting. Chair Johnson said it would be difficult for the Authority to take action on the item at this time because more information and clarification was needed from Authority staff and Beacon Academy. Ms. Sanchez asked for guidelines regarding the timeline of the high stakes review negotiations. Chair Johnson said that March 11 would be a reasonable date because that would allow Ms. Sanchez to meet with Mr. Ott regarding the high stakes matter and they would be able to discuss next steps depending on the outcome of that meeting.

Tambre Tondryk, principal of Beacon Academy, said the high stakes review has been challenging for her and her staff because of the lack of clarity regarding the process and expectations of the review. She said they were most confused about where the high stakes review fell on the Authority's intervention ladder that is explained in the SPCSA Performance Framework. Ms., Tondryk said she did not understand how Beacon Academy was listed on the agenda as possibly receiving a notice of closure if the school had already been considered in good standing by the Authority. She said she felt the process needed to be better defined since the stakes were so high for the school and the Authority. Ms. Tondryk said she had received many calls from parents and teachers at Beacon Academy regarding the high stakes review and the possibility of the notice of closure and she said she was unable to answer any of those questions due

to the lack of clarity regarding the process. She said the school would be proud to present the data the school had obtained that showed the progress they had made, but she felt the one issue that she was uncomfortable with was the graduation rate requirement which said the school shall have a 60 percent graduation rate. She said due to the students enrolled at Beacon, the graduation rate fluctuates and that was not accurately represented in the data points.

Chair Johnsons said based on the testimony of both staff and Beacon Academy; he would be recommending no action be taken on the item until more information was given. Ms. Sanchez said one of the requirements of the SPCSA's performance framework explained the Authority would provide clear and consistent communications with the school regarding high stakes decisions and that had not happened throughout the entire process Beacon and been involved in. Chair Johnson asked Director Gavin to ensure Beacon's request to meet with staff regarding the expectations of the high stakes review be held well in advance of the high stakes hearing so that all parties involved were clear as to what was expected and what would occur during the hearing. Director Gavin said he would be willing to have that meeting, but the school was providing data that was not going to be originally heard by the Authority and that he was operating under the assumption that the school would be held to the motion made during the April 2014 SPCSA board meeting. He said it was his understanding that the Authority had bound staff in 2014 to this high stakes review and he did not have the ability to override that. Chair Johnson said there was a clear disconnect regarding the high stakes review and that was why he felt no action should be taken until that disconnect was solved. He said he hoped the meeting between the school and Authority staff would provide the clarification needed to move forward. Member Wahl cautioned that if Beacon were to present data to Authority staff prior to the high stakes hearing, that it would not be considered approval by Authority staff prior to it being heard by the Authority Board. Chair Johnson said it was not his expectation that staff would approve the review prior to the hearing, but would be to clarify the expectations of staff for Beacon so they would have a chance to present the data to the Authority in a clear and defined manner.

The board took no action on Agenda Item 5.

Agenda Item 7 - Consideration of SPCSA Board and Agency duties, policies and procedures

Director Gavin said staff had been in the process of completing their policy and procedures manual at the directions of the Office of the Governor. He said staff had been provided policy and procedure documents from other state agencies by the Office of the Governor to be used and incorporated into the SPCSA's draft document. He said the travel policy was the most critical aspect of the manual because its approval would allow for the Authority to receive additional funding for the agency when asking the Office of Finance for approval of funding requests. Member McCord said he felt the manual was overly written and he felt the policy and procedures should be more precise. He said that after implementing the current proposal, staff and the Authority may be able to go back and remove redundant language. Director Gavin said staff was in agreement that the document was very detailed, but it was not out of line with what other state agencies and their boards had approved in the past. Discussion continued between the Authority and staff regarding some of the details of the policy and procedures manual.

Member Conaboy suggested some changes in the document including adding language regarding communications from charter schools during the director evaluation. She asked where language came from regarding the Authority not interfering with the duties of the Executive Director. Director Gavin said he had received the language directly from the governor's office. Discussion continued regarding how many attendees would be allowed to go on behalf of the Authority to national charter school conferences and why the number was explicitly stated. Director Gavin said the document was detailed in that manner

because it would help staff when requesting approval for authority to use funds to pay for conference attendance. Member Conaboy asked what the process was for amending the policy and procedure document. Director Gavin said it was not a complex process and he would be happy to work individual members to ensure the board was comfortable with the document. Member Conaboy asked to add language regarding the statutory responsibility of the Authority and to include communications with the charter schools regarding the director evaluations. Member Wahl said she was uncomfortable with the communication language because if a charter school was upset with the director they would write poor reviews based on the actions that may be taken by the Authority in the future. Member Conaboy said she felt there would be just as many schools that would have positive reviews of the director and it would be incumbent on the Authority to discern the differences.

Member Mackedon moved for approval of the duties, policies and procedures manual with the additions from Member Conaboy. Member Luna seconded. The motion passed unanimously.

Agenda Item 8 - Consideration of SPCSA Charter School Site Visit Protocol

Director Gavin said staff recommends approval of the policy resolution identified below. Staff will continue to refine the attached Site Visit Protocol developed pursuant to the proposed policy and will forward this document to the Governor's Office of Finance and the Legislative Counsel Bureau as requested to support enhancements to the Agency budget during the current biennium and to justify additional investments of agency reserve funds during the budget building process for the upcoming biennium.

It is likely that additional refinements to this Protocol will be suggested during the upcoming business consulting engagement. Consequently, the policy also authorizes staff to make technical adjustments to this Protocol and submit those to the Governor's Office of Finance and the Legislative Counsel Bureau as the Agency deems necessary.

Member Mackedon said the site visit protocol was too cumbersome for charter schools and also thought the requirements of staff would not be possible at the current staffing levels. She said there was too much training that would need to be completed in order to fulfill the visit protocols. She said while she appreciates and looks forward to site visits currently, this would make that experience much more difficult and stressful for the schools. She said the protocol was redundant because much of the documentation that would be required of the school had already been submitted in Epicenter. Chiair Johnson asked what the timeline would be for the full implementation of the protocol. Director Gavin said the 2016-2017 school year was the goal but it may have to be implemented in portions due to staffing and funding constraints.

Member Conaboy asked Director Gavin what the purpose of the site visit was. She noted that after the table of contents, it was stated the site visit is not intended to assist schools in helping them academically, the site visit report says the team leader incorporates corrections and suggestions to help improvement of the school. Member Conaboy asked if the protocol would be considered a regulation. Director Gavin said it would be a business process and would not need to be included in the regulations. Member Conaboy and Director Gavin discussed whether the proposed protocol was a regulation or a resolution. Jessica Hoban, Administrative Service Officer, explained some of the budget request process the SPCSA is required to complete in order to shed more light on the protocol document.

Member Mackedon moved for approval of the site visit policy as written and the protocol as a draft that will continue to be worked on by staff. Member Wahl seconded. Discussion continued

Member Conaboy asked if the policy could be adopted as a resolution and the protocol policy would continue to be worked on by staff and the Authority. Discussion continued regarding whether the motion should be considered a resolution or policy.

Upon the completion of discussion, Member Mackedon restated her motion.

Member McCord left the meeting due to technical issues with the teleconference.

Member Mackedon moved for approval of the site visit policy as written and the protocol as a draft that will continue to be worked on by staff. Member Wahl seconded. The motion passed unanimously with Member Conaboy abstaining and Member McCord and Abelman absent.

Agenda Item 9 - Consideration of SPCSA Director Evaluation protocol

Member Mackedon said the Authority Board members would be receiving a copy of the rating system. After each member along with Director Gavin complete the evaluation, Chair Johnson, Member Abelman and Member Mackedon meet and bring a brief summary to the March 25, 2016 board meeting. Member Conaboy said she appreciated the effort that has gone into the project.

Director Gavin asked Chair Johnson if he would allow agenda Item 15 (Board Retreat) to be combined with the current item in interest of saving time. Chair Johnson agreed to combine the items.

Director Gavin explained what staff would need to be able to execute a successful retreat that complied with Nevada Open Meeting Law. He asked that the Authority board vote to direct staff to organize a retreat that would be held over two days.

Member Luna motioned to direct staff to organize a retreat that would be held over two days during the 2016 Fiscal year. Member Conaboy seconded. The motion passed unanimously.

Agenda Item 10 - Discussion and possible action of up to three board member attendees to the National Alliance of Public Charter School Conference

Director Gavin said consistent with past practice and the Duties, Policies, and Procedures up for consideration today, staff requests nominations for Board member attendees to the National Charter Schools Conference, sponsored by the National Alliance for Public Charter Schools.

Member Mackedon has already notified staff she is already planning to attend in her private capacity. She will not seek Agency reimbursement. This leaves two potential attendees from the Board in order to comply with the Duties, Policies, and Procedures and avoid any perception of an Open Meeting Law violation. Director Gavin said an additional consideration for this item would be to maximize the opportunity for professional development across the membership. Board members typically attend only one of the two major national conferences per year. Members who typically find that conference more informative may wish to defer participation in the National Charter School Conference.

Member directed Director Gavin to work with Authority Board members to fill 2 spots for the NAPCS conference. Member Luna seconded. The motion passed unanimously.

Agenda Item 12 - Upcoming appointments of Member Abelman, Member Luna and Member Wahl

Director Gavin said NRS 386.5095 creates the Board of the State Public Charter School Authority. Section 4 of the statute provides that board members serve in staggered two year terms. The even-year termed members are:

- Marc Abelman—appointed by the Speaker of the Assembly
- Nora Luna—appointed by the Senate Majority Leader
- Elissa Wahl—appointed by the Governor

The law provides that each member's term begins on July 1. It also provides that members serve until their successor is appointed. As many appointing authorities deal with a large number of appointments, it behooves current Board members seeking re-appointment and those who may wish to apply for membership to the Board to apply early. Director Gavin urged board members up for re-appointment to apply early.

Agenda Item 14 - Approval of Summer Application Cycle timeline

Director Gavin informed the board that the Summer Application timeline notices of intent would be due on June 1, 2016 and the application would be due on July 15, 2016.

<u>Member Conaboy moved for approval of the Summer Application timeline. Member Mackedon</u> seconded. The motion carried unanimously.

Agenda Item 3 - Director's Report

Director Gavin said the Authority had received 4 applications during the winter application cycle. The authority had notified NASCA about being awarded the business contract. Director Gavin said the Charter school revolving loan application was updated January 15th and was uploaded to the SPCSA website. Director Gavin said the revolving loan application is due on March 15th. Director Gavin said he was still continuing to pursue external reviewers for the winter application and amendment cycle, but he was having some difficulties due to Nevada law.

Agenda Item 17 - Public Comment

Steve Emery spoke in support of charter schools. John Hawk spoke in support of charter schools and said he hoped he could present to the Authority board regarding his recent conference in Tennessee.

Due to time constraints, the Authority members in Las Vegas were forced to adjourn the meeting at 4:34.

Member Mackedon moved for adjournment, Member Luna seconded. The vote was unanimous.

Member Conaboy and SPCSA staff in Carson City stayed so the remaining members of the public could give comment.

Steve Werlein spoke for Nevada Connections Academy and his testimony is attached. Jaime Castle spoke in support of Nevada Connections Academy and felt that the Authority's Notice of Closure agenda item was unfair to Nevada Connections Academy Victoria Neer spoke in support of Nevada Connections Academy, her testimony is attached.

Laura Granier felt it was unfair that the SPCSA had agendized the Notices of Closures for Nevada Connections Academy, Nevada Virtual Academy and Beacon Academy incorrectly. She said by posting the notices on the agenda, it would negatively impact the school and its ability to enroll students for the

next year. She said more work needed to be completed before the Authority could issue notices of closure based on graduation rate. She said the graduation rate as it is used under the current SPCSA framework is not accurate and therefore should not be considered in such high stakes decisions like the one the SPCSA agendized for this meeting. She said she hoped NCA and the other schools that were under consideration for notice of closure issuance could meet with SPCSA staff so they could better understand what the SPCSA was considering and have a chance to explain their data to staff.

Member Conaboy confirmed Ms. Granier, Mr. Werlein, Ms. Neer and Ms. Castle that their public comment would be heard by the board members who were in Las Vegas and that as soon as audio of the meeting was available, she would ensure that it was sent to the Authority board.

Hello, my name is Victoria Neer, and I am an educator at Nevada Connections Academy. I appreciate the opportunity to speak with you today.

I came to Nevada connections Academy four years ago after having spent six years in the bricks and mortar school. I was unhappy in the traditional classroom, but I couldn't quite pinpoint why. It wasn't until I came to Nevada Connections Academy that I realized what had been missing for so many years: a connection. A real connection.

In the traditional classroom my attention was diverted in too many directions for me to be able to form a real connection with my students. But here? Here at Nevada Connections Academy? I found my family. I found my family in my colleagues. I found my family in my students. I found my family in the parents that stand with me today.

My students are just like my children because here at this school, this home, I have been given something that no other school can give me—this school has given me the connection with my students that I didn't even realize was missing. I spend my days on the phone with students and their families learning about their lifestyle, their likes, dislikes, their aunt's cousin's brother's new horse. I celebrate their joys with them. I grieve with them in their times of sorrow. I am connected to my students in a way that I never dreamed possible while in the traditional classroom.

In the last two years I have had the privilege to be a part of a team that has pioneered a freshman program designed to support our students as the sun rises on their high school career until the sun sets when they walk across that graduation stage prepared for the next step in their journey.

Out of my 509 freshmen, approximately 250 are credit deficient, some so severely credit deficient that they will soon be 18 years old with not a single credit earned, but they are coming to us now with one last hope that we can help.

And we open our arms.

We do not let it get us down that half of our freshmen come to us credit deficient.

HALF of our freshmen enroll in our school credit deficient.

But we do not turn them away. We greet them at the door, and we show them how we can help them be successful. However, without looking at this context, and only looking at graduation rate data through tunneled vision leads to a false conclusion about our school that we have somehow failed when in fact the opposite is true.

We have given students hope. We take great pride in working with these students that weren't successful elsewhere and helping them get the chance that they deserve at getting a high school diploma no matter how long it may take them. Four years... five years... six years. It doesn't matter to us; we are here to support their journey.

To help our students reach their dreams, we have teachers at all grade levels mentoring our high school students because we know it takes an entire family to raise a child. The connections that are formed through these weekly one-on-one contacts will solidify our students' connection with us not just through their high school career, but for the rest of their lives. The connections that are being formed today is what will bring them their success for tomorrow.

In addition to mentoring, we offer many different avenues of forming connections with our kids. We offer monthly face-to-face tutoring, community service opportunities, educational field trips to museums, hikes to mountain tops, biological explorations tagging Monarch butterflies, orientations with team building, portfolio game nights, and the list goes on. These events not only provide us the opportunity to allow our students to discover the world around them, but they also give students opportunities for socialization, which huge for any school and is definitely a huge part of our school.

We gladly open our arms to any child regardless of what circumstances have brought them to our door. Actors, athletes, military families. Children who have nowhere else to go because they have been kicked out or turned away by everyone else. Children who have been broken by their circumstances—

We open our arms and give them hope.

We are a school, a home, for these children where love and support is given unconditionally regardless of circumstance. Nevada Connections Academy is our home.

Steve Werlein-Public Comment-SPCSA Board Meeting 2/26/16

Good morning. My name is Steve Werlein, and I am proudly here as the Leader of NCA, an accredited, comprehensive, online public charter school that serves 3,000 students from every part of our great state.

I am here today to speak on behalf of our families, our students, and our dedicated faculty and staff members who work together to make this a great educational choice for all of our communities.

I only have a few minutes to share my comments, but I want to start by again extending our hand of cooperation to this body. As a school, we feel we are entitled to and have asked for open, clear, two-way communication with the SPCSA. We are more than willing to share our successes and struggles and show how an online school is a vital educational option in our state. In short, we feel that we should be partners as we face a challenging educational landscape filled with new tests, new forms of accountability, and more students and families who want choice. No one wants to continually improve our school more than the team at NCA but we must remember that improvement, like accountability, is a two way street.

Also, I would like to point out that according to the last official notification that was received from the SPCSA, NCA was rated as a school in "Good Standing" according to the performance framework. We are not in breach of our written charter, so I am sure you can imagine our shock when we saw our school's name on today's agenda. In fact, no one informed myself or anyone at the school why we were on the agenda.

But what I really want to talk about are the students at NCA who found a school where they could succeed and reach their dreams. First, I want to point out that we do not have a "typical" student. Yes, we have gifted students, elite athletes, and other "traditional" students whose parents merely want to be involved in their children's education or need flexibility combined with rigor and accountability. But there are many, many students whose successes and ability to beat the odds might not necessarily show up in star ratings or cohort rates who have found a home at NCA.

Let me tell you about Jacob from Reno. During his freshman year, Jacob had a bar surgically placed in his chest because of a medical condition that for years had hindered his quality of life. As a result of the surgery, Jacob's quality of life increased but he needed a flexible schedule during his recovery. Our school provided Jacob that flexibility and he didn't fall behind in his coursework. In fact, he graduated from our school, participates in the Civil Air Patrol, and is pursuing a college education.

Or the story of Hadrien from Las Vegas, the Class of 2011 salutatorian. In 2008, as a nationally ranked youth tennis player, Hadrien contracted a rare disease spread by mosquitos. It paralyzed him from the waist down. He might never walk again. While on the topic of achievement, Wyndham graduated at the top of his class after being homeless for several years. His newly adopted mother saw the potential in him, and realized that potential with NCA. The young man received a full scholarship to college and medical school, courtesy of the US Army.

Did Hadrien give up and accept his fate? No way, not Hadrien.

His no-quit attitude carried him through hospitals and rehab, then onto the tennis court where he practiced first in a wheelchair, then with a walker, then canes, and finally on his own two feet. Hadrien was able to get back on the court because Nevada Connections Academy allowed him the flexibility to rehab from the effects from his disease and receive a high-quality education.

Hadrien said this about his situation, "I was ready to work hard, but just needed a glimmer of hope." That glimmer of hope was Nevada Connections Academy.

A young man being raised by his grandmother after being abandoned by his mother is the last story I want to share. Sadly, she could not be with us today as she is fighting cancer and undergoing treatment. This young, bright man could not get an education in a traditional setting as he suffers from severe Turrettes. He was bullied, made fun of, and was focused more on survival than on Algebra. He is part of our family—and has found a home here.

There are hundreds of stories I could share about students who have been severely bullied and have experienced emotional trauma. Stories of students who have unstable living arrangements or face economic hardships that might cause them to be behind in school. We also cannot ignore the importance being placed on creating and sustaining emotionally safe learning environments as evidenced by the creation of a state level office focused on this. NCA is able to provide this as an option. Then, there are the stories of students who for whatever reason are not welcomed at their locally zoned school due to a lack of understanding or fear of negative impact on ratings. We don't turn any of them away.

I have been in this line of work for almost twenty years, and I can say without a doubt that I have never seen teachers able to develop the type of long term, quality relationships with students as our team at NCA. I have never seen such a great number of students' lives turnaround in even the most dire of circumstances, and I have never been prouder of what a school has been willing to do—for ALL types of students.

Behind every data point is a real student—with real dreams—and real needs. NCA is a lifeline for these students. Besides giving them the individualizing, nurturing, and academic support they need, NCA gives them the chance to participate in NHS, community service, and even prom.

The agenda item that was slated for discussion today is not only unfair to our school's faculty and board of directors, but is a false and misleading indictment of what our students have accomplished since we opened in 2007. We know we can grow and improve—but feel that judging whether or not a school is successful on one or two data points is unrealistic, punitive, and most importantly unfair to the students.

I welcome and encourage you to visit our school (virtually or in person) to meet and interact with our community.

Thank you for your time today.

Meeting

Las Vegas

2-26-2016

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Title	Counsel, NCA
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